General Assembly

Distr.: General
16 December 2008

Sixty-third session
Agenda item 20

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/63/L.18 and Add.1)*]

63/19. The situation in Central America: progress in fashioning a region of peace, freedom, democracy and development

The General Assembly,

Recalling its relevant resolutions on the situation in Central America, and particularly resolution 58/239 of 23 December 2003,

Recalling also paragraph 16 of the above-mentioned resolution, in which the General Assembly took note with satisfaction of the intention of the Government of Guatemala to establish a Commission for the Investigation of Illegal Groups and Clandestine Security Apparatuses, and urged the Secretary-General to support that initiative with a view to its prompt implementation,

Apprised by the Secretary-General through his periodic reports[1] of the ensuing protracted negotiations to define the nature and characteristics of the Commission in order to comply with norms and policies of both the United Nations and the Government of Guatemala, those of the latter including the need for parliamentary ratification,

Bearing in mind that the Agreement between the United Nations and the State of Guatemala on the establishment of an International Commission against Impunity in Guatemala was, in fact, signed on 12 December 2006,[2] and that it was ratified by the Guatemalan Congress on 1 August 2007 and entered into force on 4 September 2007,

Aware that the Secretary-General, in accordance with the provisions contained in the Agreement on the establishment of the Commission, had proceeded to appoint the Commissioner in September 2007, and that, after an organizational period of three months, the Commission began implementing its mandate in accordance with Guatemalan law and the provisions of its founding Agreement, to support, strengthen and assist institutions of the State of Guatemala responsible for investigating and prosecuting crimes that compromise fundamental human rights of its citizens and the rule of law,

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[1] See A/60/218, para. 32; *Official Records of the General Assembly, Sixty-second Session, Supplement No. 1* (A/62/1), para. 49; and ibid., *Sixty-third Session, Supplement No. 1* (A/63/1), para. 37.

[2] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 1* (A/62/1), para. 49.

Bearing in mind that the Commission has carried out its activities through voluntary contributions of Member States and other donors from the international community and that the Government of Guatemala has provided additional budgetary allotments to State institutions to support their work in collaboration with the Commission,

Convinced that, pursuant to Articles 55 and 56 of its Charter, the United Nations promotes respect for human rights and fundamental freedoms for all and that Member States pledge themselves to take action in cooperation with the Organization for the achievement of that purpose,

1. *Takes note* of the letter dated 27 October 2008 from the Secretary-General to the President of the General Assembly on the establishment, current state and activities of the International Commission against Impunity in Guatemala and the role that the United Nations has played in its implementation;[3]

2. *Commends* the Government of Guatemala for its commitment to combat impunity and strive to strengthen the institutions that buttress the rule of law and the defence of human rights;

3. *Expresses its appreciation* to those Member States and other donors that have supported the International Commission against Impunity in Guatemala, through voluntary contributions, financial and in kind, and urges them to continue their support;

4. *Also expresses its appreciation* to the Secretary-General for providing effective and efficient assistance to the Commission, and calls upon him to continue to do so in order that the Commission may successfully carry out its mandate and address the challenges that it faces;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the work of the Commission.

43rd plenary meeting
10 November 2008

[3] A/63/511.

General Assembly

Distr.: General
16 December 2008

Sixty-third session
Agenda item 65 (*b*)

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/63/L.21 and Add.1)*]

63/20. Special economic assistance for Yemen

The General Assembly,

Concerned about the floods and heavy rain that occurred in the eastern provinces of Yemen on 24 October 2008, resulting in a natural disaster that caused damage to infrastructure and the loss of human lives, and undermined the Government's effort to achieve the Millennium Development Goals,

Acknowledging with appreciation the timely assistance extended by the regional and international donor community, as well as by United Nations agencies and other humanitarian actors,

Noting the immediate response by the Government of Yemen to this disaster,

1. *Expresses its solidarity with and support* for the Government and people of Yemen;

2. *Invites* Member States and relevant United Nations entities, as well as international financial institutions and development agencies, to provide economic and technical assistance in the post-disaster recovery and rehabilitation process;

3. *Invites* the international community and the United Nations system and other international organizations to support the disaster risk management and disaster preparedness capacity of Yemen.

45th plenary meeting
11 November 2008

General Assembly

Distr.: General
16 December 2008

Sixty-third session
Agenda item 69

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/63/L.19 and Add.1)*]

63/21. Report of the International Criminal Court

The General Assembly,

Recalling its resolution 62/12 of 26 November 2007, and all its previous relevant resolutions,

Recalling also that the Rome Statute of the International Criminal Court[1] reaffirms the purposes and principles of the Charter of the United Nations,

Reiterating the historic significance of the adoption of the Rome Statute and its tenth anniversary, which was celebrated on 17 July 2008,

Emphasizing that justice, especially transitional justice in conflict and post-conflict societies, is a fundamental building block of sustainable peace,

Convinced that ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent future such abuses,

Noting with satisfaction the fact that the International Criminal Court has achieved considerable progress in its analyses, investigations and judicial proceedings in various situations and cases which were referred to it by States parties to the Rome Statute and by the Security Council, in accordance with the Rome Statute,

Recalling that effective and comprehensive cooperation and assistance in all aspects of its mandate by States, the United Nations and other international and regional organizations remains essential for the International Criminal Court to carry out its activities,

Expressing its appreciation to the Secretary-General for providing effective and efficient assistance to the International Criminal Court in accordance with the Relationship Agreement between the United Nations and the International Criminal Court ("Relationship Agreement"),[2]

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[1] United Nations, *Treaty Series*, vol. 2187, No. 38544.

[2] See A/58/874 and Add.1.

Acknowledging the Relationship Agreement as approved by the General Assembly in its resolution 58/318 of 13 September 2004, including paragraph 3 of the resolution with respect to the payment in full of expenses accruing to the United Nations as a result of the implementation of the Relationship Agreement,[3] which provides a framework for continued cooperation between the International Criminal Court and the United Nations, which could include the facilitation by the United Nations of the Court's field activities, and encouraging the conclusion of supplementary arrangements and agreements, as necessary,

Welcoming the continuous support given by civil society to the International Criminal Court,

Recognizing the role of the International Criminal Court in a multilateral system that aims to end impunity, establish the rule of law, promote and encourage respect for human rights and achieve sustainable peace, in accordance with international law and the purposes and principles of the Charter,

Expressing its appreciation to the International Criminal Court for providing assistance to the Special Court for Sierra Leone,

1. *Welcomes* the report of the International Criminal Court for 2007/08;[4]

2. *Welcomes* the States that have become parties to the Rome Statute of the International Criminal Court[1] in the past year, and calls upon all States in all regions of the world that are not yet parties to the Rome Statute to consider ratifying or acceding to it without delay;

3. *Welcomes* the States parties as well as States not parties to the Rome Statute that have become parties to the Agreement on the Privileges and Immunities of the International Criminal Court,[5] and calls upon all States that have not yet done so to consider becoming parties to that Agreement;

4. *Calls upon* States parties to the Rome Statute that have not yet done so to adopt national legislation to implement obligations emanating from the Statute and to cooperate with the International Criminal Court in the exercise of its functions, and recalls the provision of technical assistance by States parties in this respect;

5. *Welcomes* the cooperation and assistance provided thus far to the International Criminal Court by States parties as well as States not parties, the United Nations and other international and regional organizations, and calls upon those States that are under an obligation to cooperate to provide such cooperation and assistance in the future, in particular with regard to arrest and surrender, the provision of evidence, the protection and relocation of victims and witnesses and the enforcement of sentences;

6. *Emphasizes* the importance of cooperation with States that are not parties to the Rome Statute;

7. *Invites* regional organizations to consider concluding cooperation agreements with the International Criminal Court;

8. *Recalls* that, by virtue of article 12, paragraph 3, of the Rome Statute, a State which is not a party to the Statute may, by declaration lodged with the

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[3] Articles 10 and 13 of the Relationship Agreement.

[4] See A/63/323.

[5] United Nations, *Treaty Series*, vol. 2271, No. 40446.

Registrar of the International Criminal Court, accept the exercise of jurisdiction by the Court with respect to specific crimes that are mentioned in paragraph 2 of that article;

9. *Encourages* all States parties to take the interests, needs for assistance and mandate of the International Criminal Court into account when relevant matters are being discussed in the United Nations;

10. *Emphasizes* the importance of the full implementation of the Relationship Agreement,[2] which forms a framework for close cooperation between the two organizations and for consultation on matters of mutual interest pursuant to the provisions of that Agreement and in conformity with the respective provisions of the Charter of the United Nations and the Rome Statute, as well as the need for the Secretary-General to inform the General Assembly at its sixty-fourth session on the expenses incurred and reimbursements received by the United Nations in connection with assistance provided to the International Criminal Court;

11. *Notes* the fact that the International Criminal Court liaison office to United Nations Headquarters is now fully operational, and encourages the Secretary-General to continue to work closely with that office;

12. *Encourages* States to contribute to the Trust Fund established for the benefit of victims of crimes within the jurisdiction of the International Criminal Court and the families of such victims, and acknowledges with appreciation contributions made to the Trust Fund thus far;

13. *Notes* the work of the Special Working Group on the Crime of Aggression, which is open to all States on an equal footing, and encourages all States to consider participating actively in the Working Group with a view to elaborating proposals for a provision on the crime of aggression, in accordance with article 123 of the Rome Statute;

14. *Notes* that the Review Conference to be held in 2010 may provide an opportunity to address issues, in addition to those relating to the possible definition of the crime of aggression, that have been identified by States, including States that are not parties to the Rome Statute;

15. *Takes note* of the decision of the Assembly of States Parties to the Rome Statute at its sixth session, while recalling that, according to article 112, paragraph 6, of the Rome Statute, the Assembly of States Parties shall meet at the seat of the International Criminal Court or at United Nations Headquarters, to hold its seventh session at The Hague, looks forward to the seventh session of the Assembly of States Parties, which is to be held at The Hague from 14 to 22 November 2008, as well as to the resumed seventh session, which is to be held in New York from 19 to 23 January 2009 and from 9 to 13 February 2009, and requests the Secretary-General to provide the necessary services and facilities in accordance with the Relationship Agreement and resolution 58/318;

16. *Encourages* the widest possible participation of States in the Assemblies of States Parties, invites States to contribute to the Trust Fund for the participation of the least developed countries, and acknowledges with appreciation contributions made to the Trust Fund thus far;

17. *Invites* the International Criminal Court to submit, in accordance with article 6 of the Relationship Agreement, a report on its activities for 2008/09, for consideration by the General Assembly at its sixty-fourth session.

45th plenary meeting
11 November 2008

General Assembly

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Sixty-third session
Agenda item 45

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/63/L.24/Rev.1 and Add.1)*]

63/22. Promotion of interreligious and intercultural dialogue, understanding and cooperation for peace

The General Assembly,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,[1] in particular the right to freedom of thought, conscience and religion,

Recalling its resolutions 56/6 of 9 November 2001, on the Global Agenda for Dialogue among Civilizations, 57/6 of 4 November 2002, concerning the promotion of a culture of peace and non-violence, 57/337 of 3 July 2003, on the prevention of armed conflict, 58/128 of 19 December 2003, on the promotion of religious and cultural understanding, harmony and cooperation, 59/23 of 11 November 2004, on the promotion of interreligious dialogue, 59/143 of 15 December 2004, on the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, 60/167 of 16 December 2005, on human rights and cultural diversity, and 62/157 of 18 December 2007, on the elimination of all forms of intolerance and of discrimination based on religion or belief,

Recalling also its resolution 62/90 of 17 December 2007 on the promotion of interreligious and intercultural dialogue, understanding and cooperation for peace, and the declaration of 2010 as the International Year for the Rapprochement of Cultures,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

Taking note of the various initiatives at the national, regional and international levels to enhancing dialogue, understanding and cooperation among religions, cultures and civilizations, which are mutually reinforcing and interrelated, inter alia, the fourth Asia-Pacific Dialogue on Interfaith Cooperation for Peace and Harmony, held in Phnom Penh from 3 to 6 April 2008,[2] the Third Global Inter-Media Dialogue, held in Bali, Indonesia, on 7 and 8 May 2008, the Fourth Asia-Europe

[1] Resolution 217 A (III).

[2] See A/62/949.

Meeting Interfaith Dialogue, held in Amsterdam from 3 to 5 June 2008,[3] the World Conference on Dialogue, held in Madrid from 16 to 18 July 2008,[4] the Sixth General Meeting of the World Public Forum "Dialogue of Civilizations", held in Rhodes, Greece, from 9 to 13 October 2008, the Second Alliance of Civilizations Forum, to be held in Istanbul, Turkey, on 2 and 3 April 2009, the Special Non-Aligned Movement Ministerial Meeting on Interfaith Dialogue and Cooperation for Peace and Development, to be held in Manila from 26 to 28 May 2009, the fifth Asia-Pacific Regional Interfaith Dialogue, to be held in Australia in 2009, the Parliament of the World's Religions, to be held in Melbourne, Australia, from 3 to 9 December 2009, and the Third Congress of Leaders of World and Traditional Religions, to be held in Astana on 1 and 2 July 2009, with the participation and technical assistance of the United Nations system,

Affirming the importance of sustaining the process of engaging all stakeholders in the interreligious, intercultural and intercivilizational dialogue within the appropriate initiatives at the various levels,

Recognizing the commitment of all religions to peace,

1. *Affirms* that mutual understanding and interreligious dialogue constitute important dimensions of the dialogue among civilizations and of the culture of peace;

2. *Takes note* of the report of the Secretary-General on interreligious and intercultural dialogue, understanding and cooperation for peace;[5]

3. *Also takes note* of the work of the United Nations Educational, Scientific and Cultural Organization on interreligious dialogue in the context of its efforts to promote dialogue among civilizations, cultures and peoples, as well as activities related to a culture of peace, and welcomes its focus on concrete action at the global, regional and subregional levels and its flagship project on the promotion of interfaith dialogue;

4. *Reaffirms* the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights[1] and other instruments relating to human rights and international law, the universal nature of these rights and freedoms being beyond question;

5. *Encourages* the promotion of dialogue among the media from all cultures and civilizations, emphasizes that everyone has the right to freedom of expression, and reaffirms that the exercise of this right carries with it special duties and responsibilities and may therefore be subject to certain restrictions, but these shall be only such as are provided by law and necessary for respect of the rights or reputations of others, protection of national security or of public order, or of public health or morals;

6. *Encourages* Member States to consider, as and where appropriate, initiatives that identify areas for practical action in all sectors and levels of society for the promotion of interreligious and intercultural dialogue, tolerance,

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[3] See A/63/510.

[4] See A/63/499.

[5] A/63/262.

understanding and cooperation, inter alia, the ideas suggested during the High-level Dialogue on Interreligious and Intercultural Understanding and Cooperation for Peace, held on 4 and 5 October 2007, including the idea of an enhanced process of dialogue among world religions;

7. *Takes note* of the plenary meeting of the General Assembly on the culture of peace, held on 12 and 13 November 2008, during the sixty-third session of the Assembly, in which the President of the Assembly had invited participation at the highest possible level;

8. *Requests* the Office for Economic and Social Council Support and Coordination in the Department of Economic and Social Affairs of the Secretariat, as the focal point for interreligious, intercultural and intercivilizational matters, to coordinate with the United Nations Educational, Scientific and Cultural Organization in facilitating consideration of the possibility of proclaiming a United Nations decade for interreligious and intercultural dialogue, understanding and cooperation for peace;

9. *Takes note* of the Third Ministerial Meeting on Interfaith Dialogue and Cooperation for Peace, held on 25 September 2008 in New York;

10. *Invites* the United Nations Educational, Scientific and Cultural Organization, in consultation with Member States, and through extrabudgetary resources, to play a leading role in the preparations for the celebration of the International Year for the Rapprochement of Cultures, in 2010, taking into account General Assembly resolution 61/185 of 20 December 2006 and the relevant provisions of Assembly resolution 62/90;

11. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

50th plenary meeting
13 November 2008

United Nations A/RES/63/23

General Assembly

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Sixty-third session
Agenda item 107

Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/63/L.27 and Add.1)*]

63/23. Promoting development through the reduction and prevention of armed violence

The General Assembly,

Reaffirming the commitments made by the international community in the United Nations Millennium Declaration,[1] in particular its goal to create an environment conducive to development and the elimination of poverty,

Recalling the 2005 World Summit Outcome,[2]

Recalling also the 2001 Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[3] reflecting, inter alia, the concern with the implications that poverty and underdevelopment may have for the illicit trade in small arms and light weapons in all its aspects,

Taking note of the Geneva Declaration on Armed Violence and Development of 7 June 2006,[4] and the regional declarations adopted by regional conferences hosted by the Governments of Guatemala, Kenya and Thailand, having the aim of raising awareness among Member States of the relationship between armed violence and development,

Reaffirming that development, peace and security, and human rights are interlinked and mutually reinforcing,[2]

Stressing the importance of the symbiotic relationship between disarmament and development and the important role of security in this connection,

Recognizing that sustained socio-economic development and the reduction of inequalities, including measures aimed at improving social inclusion, employment and education, constitute essential requirements for reducing levels of armed violence,

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[1] See resolution 55/2.

[2] See resolution 60/1.

[3] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[4] A/63/494, annex I.

Taking note of the resolve expressed in the Summit statement,[5] adopted at the conclusion of the Review Summit of the Geneva Declaration on Armed Violence and Development, to develop goals, targets and measurable indicators on armed violence and development as a complement to the Millennium Development Goals,

Cognizant of past and ongoing efforts, including within the United Nations system, to achieve the Millennium Development Goals through the prevention and reduction of armed violence at national, regional and international levels,

Mindful of the primary responsibility of national Governments for curbing armed violence and for fostering the Millennium Development Goals,

1. *Stresses* the need for a coherent and integrated approach to the prevention of armed violence, with a view to achieving sustainable peace and development;

2. *Requests* the Secretary-General to seek the views of Member States on the interrelation between armed violence and development and, in close consultation with the relevant agencies, funds and programmes of the United Nations system, and with the three United Nations regional centres for peace and disarmament, to submit a report to the General Assembly at its sixty-fourth session.

51st plenary meeting
17 November 2008

[5] Ibid., annex II.